



**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TEXAS
BEAUMONT DIVISION**

UNITED STATES OF AMERICA

§

V.

§

CASE NO. 1:05-CR-4(1)

§

MARIO RUBEN-COLUNGA

§

§

**MEMORANDUM ORDER ADOPTING
FINDINGS OF FACT AND RECOMMENDATION ON PLEA OF TRUE**

The Court referred this matter to United States Magistrate Judge Keith F. Giblin, at Beaumont, Texas, for consideration pursuant to 28 U.S.C. § 636(b) and the Local Rules for the United States District Court for the Eastern District of Texas. In accordance with 18 U.S.C. § 3401(I) and 18 U.S.C. § 3583(e), Judge Giblin held a hearing and submitted findings of fact and a recommendation on the revocation of Defendant's supervised release.

Having conducted the proceedings in the form and manner prescribed by Federal Rule of Criminal Procedure 11 and 18 U.S.C. § 3583, the magistrate judge issued his *Findings of Fact and Recommendation on Plea of True* [Clerk's doc. #62]. The magistrate judge recommended that the Court revoke Defendant's supervised release and impose a term of imprisonment for the revocation, with no further supervision upon release.

The parties have not objected to Judge Giblin's report. Accordingly, after review, the Court concludes that the *Findings of Fact and Recommendation* should be accepted.

It is **ORDERED** that the *Findings of Fact and Recommendation on Plea of True* [Clerk's doc. #62] of the United States Magistrate Judge are **ADOPTED**. The Court finds that Defendant, Mario Ruben Colunga, violated conditions of his supervised release. The Court, therefore, **REVOKEs** his term of supervision.

Pursuant to the magistrate judge's recommendation, the Court **ORDERS** that Defendant is sentenced to a five (5) month term of imprisonment for the revocation with no further supervision upon release.

So **ORDERED** and **SIGNED** this **29** day of **January, 2010**.



Ron Clark, United States District Judge